

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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GARCIA WILSON *
*
versus *
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WARDEN WILLIE EAGLETON, et al.*
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Case No. 1:18-cv-50
July 11, 2019

REPORTER'S OFFICIAL TRANSCRIPT OF THE
MOTION HEARING HELD BEFORE THE
HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE
JULY 11, 2019

Appearances:

| | |
|--|---|
| For the Plaintiff: | Galvin Law Group, Inc. BY: Gregory Michael Galvin 174 Sumter Square Bluffton, SC 29910 843.227.2231 Bell Legal Group BY: James Edward Bell III 219 N. Ridge Street Georgetown, SC 29440 843.546.2408 |
| For Defendant SCDC and the Wardens: | Lee, Erter, Wilson, James, Holler & Smith BY: David Cornwell Holler PO Box 580 Sumter, SC 29151 803.778.2471 |
| For Defendant Cory Lucas: | Aiken, Bridges, Nunn, Elliott and Tyler BY: Samuel F. Arthur III PO Drawer 1931 Florence, SC 29503 843.669.8787 |

1 this in another case, Your Honor.

2 **THE COURT:** Yeah, I did.

3 **MR. GALVIN:** But his address, we need to take his
4 deposition. I was going to take it with Mr. Bell to cut down
5 on the cost.

6 **THE COURT:** Y'all don't have a copy of the -- you
7 don't have a way to communicate with him?

8 **MR. GALVIN:** well, what we were told was we were
9 provided with his email and his phone.

10 **THE COURT:** No. Listen, folks. I'm tired of all
11 this officious behavior frankly. I'm going to order by the end
12 of the day today Mr. Roth's mailing address be provided. This
13 is ridiculous, folks. Professionals don't treat each other
14 this way. We're hiding the ball here, making it difficult,
15 obstructionist behavior.

16 I spend more time -- and it's not just me,
17 Mr. Holler. I'm going to tell you, my colleagues are all
18 talking about the behavior of SCDC lawyers. We're all talking
19 about it, is -- we're taking it up tomorrow in our judge's
20 meeting. This is ridiculous. I spend more time on these cases
21 than I spend on all other discovery disputes on my entire
22 docket.

23 You need to tell those folks at SCDC that we're
24 going to start issuing sanctions. I'm tired of this.

25 Now, you know, I practiced law for 31 years. I

1 never had anyone deny me a way to communicate with an expert.
2 Never did I have anyone do that, and an email address and a guy
3 won't respond, give him -- end of the day, I want him to have
4 his mailing address.

5 Okay. What's next?

6 **MR. GALVIN:** Thank you. Your Honor. With regard to
7 Roth, you asked for all the records that he relied upon.
8 Mr. Holler stated that he thought he went prison to prison, but
9 he hadn't talked to him, and he wasn't really sure what he
10 relied upon, but he hadn't talked to him and he didn't know
11 what he had. And I just -- we've got this report.

12 **THE COURT:** Have you deposed -- you haven't deposed
13 Mr. Roth obviously.

14 **MR. GALVIN:** Can't.

15 **THE COURT:** Send him a subpoena with all that
16 information with a return date ten days before your deposition.

17 **MR. GALVIN:** Okay. Thank you, Your Honor.

18 **THE COURT:** Okay. And if you have a problem, let me
19 know before you go up there.

20 **MR. GALVIN:** Okay.

21 **THE COURT:** And I'll order it. Okay.

22 **MR. GALVIN:** Thank you, Your Honor.

23 Okay. The -- let's see here. So we've got --
24 got that.

25 **THE COURT:** You know, you do a subpoena duces tecum